

DEC 17 2004

32692

Customer Number

Patent
Case No.: 53750US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: JACOBS, GREGORY F.

Application No.: 10/039654

Group Art Unit: 3671

Filed: December 31, 2001

Examiner: Hartmann, Gary S.

Title: MATRIX ELEMENT MAGNETIC PAVEMENT MARKER AND METHOD OF
MAKING SAMERESPONSEMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.17 Dec 2004 *Amber Nicholson*
Date Signed by: Amber Nicholson

Dear Sir:

On November 19, 2004, the attached Request for Continued Examination and Amendment were submitted. In response to the submission, the Examiner issued an Advisory Action. Upon contacting the Examiner via telephone it was noted that the RCE request was not entered. Applicant respectfully requests that the RCE request and amendment be entered.

Respectfully submitted,

12-17-04
DateBy: *Carolyn Fischer*
Carolyn A. Fischer, Reg. No.: 39,091
Telephone No.: (651) 575-3915Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833

Docket No.: 63750US002

32692

Customer Number

Request for Continued Examination (RCE) Transmittal

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

First Named Inventor: Jacobs, Gregory F.
Application No.: 10/039654
Filed: December 31, 2001
Group Art Unit: 3671
Examiner: Hartmann, Gary S.
Title: Matrix Element Magnetic Pavement Marker and Method of Making Same
This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

1. Submission required under 37 CFR § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)/Supplemental IDS
- iv. ☐ Other

2. ☐ A Request for Extension of Time is being filed concurrently**3. Fees** (The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)

- a. ☒ The Director is hereby authorized to charge the following fees or credit any overpayments to:
Deposit Account No. 13-3723. A duplicate copy of this letter for fees processing is enclosed.
- i. ☒ RCE fee required under 37 CFR § 1.17(e)
- ii. ☐ Other

Respectfully submitted,

Date

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: (651) 736-3833

By:

Carolyn A. Fischer
Carolyn A. Fischer, Reg. No.: 39,091
Telephone No.: (651) 575-3915

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Sent to Facsimile No.: 703-872-9306	Signature: <i>Amber Nicholson</i>
Date: November 19, 2004	Printed Name: Amber Nicholson

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**RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP: (3671)****32692**

Customer Number

Patent
Case No.: 53750US002**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**CAF
M. P.

First Named Inventor: JACOBS, GREGORY F.
Application No.: 10/039654 Group Art Unit: 3671
Filed: December 31, 2001 Examiner: Hartmann, Gary S.
Title: MATRIX ELEMENT MAGNETIC PAVEMENT MARKER AND METHOD OF
MAKING SAME

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Dear Sir:

This is in response to the outstanding Office Action, dated June 23, 2004, in the above-identified application.

Upon review of the file, it was noted that the initialed Form PTO-1449 filed with the Disclosure Statement dated September 28, 2004 has not been received. It is requested that the Examiner initial the Form PTO-1449, a copy of which is enclosed for the Examiner's convenience, and return it to the undersigned attorney.